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PATENT
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I hereby certify that this correspondence is being deposited via Facsimile to Mail Stop Non-Patent Amendment, Commissioner for Patents, Alexandria, VA 22313-1600, Technology Center 3704 Attention: Aamleh Kokabi, at fax number 703 672 6900 on February 6, 2004

A. A. Walker Date February 6, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No:	10/091,849
Filed:	March 8, 2002
Confirmation No.:	8604
Applicant:	Steven T. Boyce
Title:	APPARATUS FOR PREPARING A BIOCOMPATIBLE MATRIX
Art Unit:	3704
Examiner:	Kokabi
Atty Dock:	CUT-02

Cincinnati, Ohio 45202 February 6, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

ELECTION AND PRELIMINARY AMENDMENT

In response to the Office Action mailed January 9, 2004 in the above-referenced application, applicant elects with traverse Group I. Applicant notes that claims 40-42, drawn to an apparatus, have been erroneously listed with Group II method claims. Applicant thus respectfully requests that the Election include claims 1-4, 11, 18-26, 33-34, and 40-42.

As requested by the Examiner, applicant elects species B, as depicted in figure 1D.

- 1 -

FORM 100 (Rev. 12/2003) Patent Examination Division U.S. Patent and Trademark Office

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PATENT, TRADEMARK, COPYRIGHT
 AND UNFAIR COMPETITION LAW
 AND RELATED LITIGATION

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February 4, 2005

FACSIMILE COVER SHEET

To: Examiner Ragonese

From: Beverly A. Lyman, Ph.D.

Fax: 571 273 4804

Re: Our File: CUT-02
 Serial No. 10/091,849

Pages: 25 (including cover sheet)

MESSAGE/COMMENTS

Our Amendment, in compliance with your requests, is attached.

Thank you.

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